

## Article - Environment

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§9–1604.

(a) In addition to the powers set forth elsewhere in this subtitle, but subject to such rules or program directives as the Secretary may from time to time prescribe, the Administration may:

- (1) Adopt and alter an official seal;
- (2) Sue and be sued, plead, and be impleaded;
- (3) Adopt bylaws, rules, and regulations to carry out the provisions of this subtitle;
- (4) Maintain an office at such place as the Secretary may designate;
- (5) Subject to subsection (b) of this section, employ consultants, accountants, attorneys, financial experts, and other personnel and agents as may be necessary in its judgment, and fix their compensation;
- (6) Establish regulations, criteria, or guidelines with respect to loans, loan agreements, loan obligations, grants, grant agreements, and grant obligations;
- (7) Receive and accept from any source, private or public, contributions, grants, or gifts of money or property;
- (8) Enter into contracts of any kind, and execute all instruments necessary or convenient with respect to carrying out the powers in this subtitle to accomplish the purposes of the Administration;
- (9) Make loans, enter into loan agreements, and accept and enforce loan obligations;
- (10) Award grants, enter into grant agreements, and accept and enforce grant obligations;
- (11) Subject to the prior approval of the Board and the Secretary, issue bonds under this subtitle; and
- (12) Do all acts and things necessary or convenient to carry out the powers granted by this subtitle.

(b) (1) In accordance with the State budget, the Administration may set the compensation of an Administration employee in a position that:

- (i) Is unique to the Administration;
- (ii) Requires specific skills or experience to perform the duties of the position; and
- (iii) Does not require the employee to perform functions that are comparable to functions performed in other units of the Executive Branch of State government.

(2) The Secretary of Budget and Management, in consultation with the Secretary, shall determine the positions for which the Administration may set compensation under paragraph (1) of this subsection.

(c) (1) This subsection applies to financial assistance provided by the Administration under:

- (i) The Water Quality Fund;
- (ii) The Bay Restoration Fund;
- (iii) The Biological Nutrient Removal Program; and
- (iv) The Supplemental Assistance Program.

(2) The Administration shall ensure the fair and equitable distribution of financial assistance among wastewater treatment facilities with a design capacity of less than 500,000 gallons per day and wastewater treatment facilities with a design capacity of 500,000 gallons or more per day.

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